



U.S. Immigration  
and Customs  
Enforcement

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# News Release

## **New York-based commodities trading company pleads guilty to making false statements *Illegally importing silicon metal from China***

DETROIT — A New York-based commodities trading company pleaded guilty here today to introducing goods into U.S. commerce with false statements, announced U.S. Attorney Stephen Murphy, and U.S. Immigration and Customs Enforcement (ICE) Special Agent-in Charge Brian M. Moskowitz.

ICD Group Metals (ICD), LLC, pleaded guilty to one count of Entry of Goods by False Statements. U.S. District Court Judge Paul Borman ordered as part of the plea agreement that ICD pay a total of \$1 million to the government: \$890,000 in restitution to the U.S. Treasury, U.S. Customs and Border Protection, and an additional \$110,000 to the Department of Treasury Forfeiture Fund. In addition, the Court, at the time of sentencing, may also impose a fine up to \$534,000 and place the company on probation. The company has also agreed to cooperate in the ongoing investigation and prosecution of this matter. Both ICD and its principal member, Menachem Zwick, are subject to further prosecution in the future should they violate this agreement.

The ICE Office of Investigations in New Orleans began looking into the import activities of ICD Group Metals in August 2001 following allegations that the company was attempting to evade paying duties and fees associated with 42 shipments of silicon into the United States. The investigation revealed that between September and December 1998, the Chinese silicon metal acquired by ICD was imported into the United States from Canada by making false claim to its origination. The associated documentation fraudulently stated that the metal's origination was South Africa and/or Saudi Arabia.

"ICD Group Metals orchestrated a complex scheme to defraud the United States to more than \$1 million of lawful revenue," said Moskowitz, special agent in charge of the ICE Office of Investigations in Detroit. "This guilty plea demonstrates the unique ability of U.S. Immigration and Customs Enforcement to investigate, expose and bring to justice those who profit by exploiting trade regulations established to protect American industry and consumers."

"Customs fraud is serious business, and the excellent result in this case evidences the seriousness with which we take these sorts of economic crimes," stated U.S. Attorney Murphy. "Anyone who thinks of violating federal anti-dumping laws at one of the four eastern Michigan ports should think

again; we have an elite cadre of economic crime professionals ready to aggressively prosecute every kind of sophisticated criminal activity imaginable."

Importing silicon metal from the People's Republic of China (PRC) is discouraged by the United States and subject to a 139.49 percent anti-dumping duty. The importer is responsible for paying duty on the stated value of the silicon metal imported into the United States.

The U.S. Customs and Border Protection (CBP) assisted with this investigation. Assistant U.S. Attorney Craig Weier prosecuted this case.

# ICE #

*U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.*